



**YARRA CITY COUNCIL
INTERNAL DEVELOPMENT APPROVALS
COMMITTEE
MINUTES**

**held on Wednesday 10 December 2014 at 6.30pm
in Meeting Room 3 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Jackie Fristacky
Councillor Geoff Barbour
Councillor Sam Gaylard

Tarquin Leaver (Co-ordinator Statutory Planning)
Melanie Ringersma (Senior Statutory Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

III. DECLARATIONS OF CONFLICT OF INTEREST (councillors and staff)

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

Moved: Councillor Fristacky **Seconded:** Councillor Barbour

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 26 November 2014 be confirmed.

CARRIED

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***"Welcome to the City of Yarra.
Council acknowledges the Wurundjeri
community as the first owners of this
country.***

***Today, they are still the custodians of
the cultural heritage of this land.***

***Further to this, Council acknowledges
there are other Aboriginal and Torres
Strait Islander people who have lived,
worked and contributed to the cultural
heritage of Yarra."***



Guidelines for public participation at Internal Development Approval Committee meetings

POLICY

Council provides the opportunity for members of the public to address the Internal Development Approvals Committee.

The following guidelines have been prepared to assist members of the public in presenting submissions at these meetings:

- public submissions are limited to a maximum of five (5) minutes
- where there is a common group of people wishing to make a submission on the same matter, it is recommended that a representative speaker be nominated to present the views of the group
- all public comment must be made prior to commencement of any discussion by the committee
- any person accepting the chairperson's invitation to address the meeting shall confine himself or herself to the subject under consideration
- people making submissions shall address the meeting as a whole and the meeting debate shall be conducted at the conclusion of submissions
- the provisions of these guidelines shall be made known to all intending speakers and members of the public generally prior to the commencement of each committee meeting.

For further information regarding these guidelines or presenting submissions at Committee meetings generally, please contact the Governance Branch on (03) 9205 5110.

**Governance Branch
2008**

Councillor Fristacky nominated Councillor Gaylard as Chairperson.

There being no other nominations, Councillor Gaylard was appointed Chairperson.

Councillor Gaylard assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

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1.1 21 King Street, Richmond - PLN13/0545

Trim Record Number: D14/160946

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN13/0545 for development of the land for demolition of the existing dwelling and construction of two, double-storey dwellings, including roof terraces and a reduction in the car parking requirement at 21 King Street, Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) An amended materials and finishes schedule to reflect plans submitted to Council on 22 July 2014. This schedule must include a light finish for the timber cladding and corrugated iron for the metal roof cladding;
 - (b) The rear open spaces to have permeable ground cover;
 - (c) Each dwelling to have a rainwater tank of 1000L in capacity, with water to be used for sanitary flushing;
 - (d) Amended elevations to include the 1.7m high balustrade between the roof terraces;
 - (e) The western end of the balustrade of the roof terrace along the northern boundary (for a length of 1.5m) increased in height to 1.7m;
 - (f) Plans showing that no unreasonable overlooking is possible from the roof terraces to adjacent properties (in accordance with the objective of Clause 55.04-6 of the Yarra Planning Scheme. If unreasonable overlooking is possible, screening must be provided in accordance with standard B22;
 - (g) The material and transparency of all balustrades to be notated on the plans, with these specifications to meet the requirements outlined in Standard B22 – Overlooking and Standard B23 – Internal Views; and
 - (h) Designated storage spaces, measuring 6 cubic metres, to be supplied for each dwelling and demonstrated on the plans.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development commences, a Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Sustainable Design Assessment will be endorsed and will form part of this permit.
4. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.
6. All screening and other measures to prevent overlooking as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

7. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
8. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
9. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
10. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7.00 am or after 6 .00 pm, Monday-Friday (excluding public holidays);
 - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
11. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

A building permit maybe required before development is commenced. Please contact Council's Building Department on PH 9205 5095 to confirm.

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

All future residents residing within the development approved under this permit will not be permitted to obtain resident or visitor parking permits.

The applicant must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the Building Regulations 2006 from Yarra Building Services Unit.

Submissions

The Applicant, Mr Daniel Xuereb addressed the Committee regarding this matter.

The following people also addressed the Committee regarding this matter:

*Mr Russell Browne; and
Mr Tom Mahoney.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Barbour

That the Recommendation be adopted.

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CARRIED

1.2 Heritage Victoria Referral (P15249) - Dimmeys, 140-160 Swan Street, Cremorne

Trim Record Number: D14/162914

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

1. That Council advise Heritage Victoria the following with regard to the proposal:
 - (a) The proposed alterations to the previously approved works would be generally in accordance with the requirements of Yarra's heritage policy at Clause 22.02-5.7.1 of the Yarra Planning Scheme.
 - (b) In regard to the proposed light fittings along Green Street, it is acknowledged that while the existing fittings may not be original they definitely have a particular style that enhances the heritage character and appearance of the subject building. The proposed contemporary fittings will not replicate this quality. If the existing fittings cannot be restored, then new fittings that enhance the character of the building should rather be considered.

This matter was withdrawn from the agenda prior to the meeting following Heritage Victoria approval of the application.

1.3 30 Manton Street, Richmond - Planning Application PLN13/0688 - Development of the land for the construction of three, three-storey town houses.

Trim Record Number: D14/162841

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN13/0688 for the development of the land for the construction of three, three-storey town houses at 30 Manton Street, Richmond, subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans received by Council on 11 November 2014 TP07C, TP08C, TP10C, TP11C, TP12C, TP13C, and TP14C, but modified to show:
 - (a) a larger and/or additional window to the first floor east elevation of T2;
 - (b) the first floor plan to correctly show the western wall of T3 setback 1.5m from the west boundary;
 - (c) the rain water tank noted as being connected to toilets for toilet flushing and/or for landscape irrigation; and
 - (d) a 1 in 20 cross-sectional drawing must be prepared showing the existing footpath profile, kerb and channel and the road hump, and is to be fully dimensioned. All reduced levels of existing features and design levels are to be included. The applicant's engineer must demonstrate that the vehicle crossing will work with an 85th percentile vehicle or other suitable vehicle profile.
2. All development must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
3. Prior to the completion of development, any wall on the boundary of an adjoining property must be cleaned and finished to the satisfaction of the Responsible Authority.
4. All privacy screens must be installed prior to the occupation of the building and maintained thereafter to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the plans must be carried out and completed to the satisfaction of the Responsible Authority.

The landscaping shown on the endorsed plan must be maintained by:

 - (a) not using the areas set aside for landscaping for any other purpose; and
 - (b) replacing any dead, diseased, dying or damaged plants,to the satisfaction of the Responsible Authority.
6. Any damaged road(s) and footpath(s) or other Council infrastructure adjacent to the development site as a result of the proposed development must be reinstated at the cost of the developer to the satisfaction of the Responsible Authority prior to the occupation of the building.
7. The new vehicle crossing must be constructed within the following parameters:
 - (a) The road hump must remain in place;

- (b) The footpath cross-fall must be DDA compliant;
 - (c) The footpath along the property's Stawell Street frontage must be re-graded, commencing from the northern boundary to the new crossing and continuing to the existing vehicle crossing;
 - (d) To construct the new vehicle crossing, the finished floor levels along the edges of the two single garage concrete slabs may need to be altered or lowered; and
 - (e) A bull-nose may be permitted.
8. The car parking area must be used for no other purpose to the satisfaction of the Responsible Authority.
9. Existing kerb and channel, and road pavement surface levels must not be altered, unless with the prior written consent of the Responsible Authority.
10. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7.00 am - 6.00 pm, Monday-Friday (excluding public holidays) and 9.00 am - 3.00 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.
11. This permit will expire if any of the following occur:
- (a) The development is not commenced within two (2) years from the date of this permit; or
 - (b) The development is not completed within four (4) years from the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months after the expiry date for commencement, or within twelve months after the expiry date for completion.

NOTE: The new vehicle crossing must be constructed in accordance with City of Yarra Standard Drawings and Specifications.

NOTE: The vehicle crossing must be designed and constructed to satisfy the requirements of Council's Community Amenity unit's Vehicular Access into Properties (Info Sheet and Application Form) before a vehicle crossing permit can be issued.

NOTE: Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

NOTE: A building permit may be required before development is commenced. Please contact Council's Building Department on Ph. 9205 5351 to confirm.

NOTE: All future residents and occupiers residing within the development approved under this permit will not be permitted to obtain resident or visitor parking permits.

Submissions

The Applicant, Mr Paul O'Shea addressed the Committee regarding this matter.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Gaylard

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Refusal to Grant a Permit (PLN13/0688) for the development of the land at 30 Manton Street, Richmond for the construction of three 3-storey townhouses based on the following grounds:

1. The proposal is an overdevelopment of the site as evidenced by the high site coverage, contrary to the Objectives of Standard B8 (Site coverage) at Clause 55 of the Yarra Planning Scheme.
2. The proposal fails to respond to neighbourhood character, contrary to policy at Clauses 22.10 and 22.13 and the Objective of Standard B1 (Neighbourhood Character) at Clause 55 of the Yarra Planning Scheme.
3. The proposal will adversely affect the amenity of surrounding neighbours by way of height, bulk, scale, inadequate setbacks and overshadowing, failing to comply with Objectives B17 (Side and Rear Setbacks), B18 (Walls on Boundaries) and B21 (Overshadowing open space) at Clause 55 of the Yarra Planning Scheme.

CARRIED

The meeting closed at 7.22 pm.

Confirmed at the meeting held on Wednesday 17 December 2014

Chairperson